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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 ANA OCEGUEDA,

10 Petitioner,

11 vs.

12 WARDEN NEVENS, et al.,

13 Respondents.  
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Case No. 2:17-cv-00267-APG-GWF

**ORDER**

15 Petitioner has paid the filing fee. She has filed a motion for appointment of counsel (ECF  
16 No. 2). Petitioner is unable to afford counsel, and the issues presented warrant the appointment of  
17 counsel. See 18 U.S.C. § 3006A(a)(2)(B).

18 Petitioner also has filed a motion for transcripts at state expense (ECF No. 4). This motion  
19 is moot because the court is appointing counsel. Counsel will obtain the parts of the state-court  
20 record that counsel determines are necessary for this action.

21 IT IS THEREFORE ORDERED that the clerk of the court file the petition.

22 IT IS FURTHER ORDERED that petitioner's motion for appointment of counsel (ECF No.  
23 2) is **GRANTED**. The Federal Public Defender is provisionally appointed to represent petitioner.

24 IT IS FURTHER ORDERED that the Federal Public Defender shall have thirty (30) days  
25 from the date that this order is entered to undertake direct representation of petitioner or to indicate  
26 to the court his inability to represent petitioner in these proceedings. If the Federal Public Defender  
27 does undertake representation of petitioner, he shall then have sixty (60) days to file an amended  
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1 petition for a writ of habeas corpus. If the Federal Public Defender is unable to represent petitioner,  
2 then the court shall appoint alternate counsel.

3 IT IS FURTHER ORDERED that neither the foregoing deadline nor any extension thereof  
4 signifies or will signify any implied finding of a basis for tolling during the time period established.  
5 Petitioner at all times remains responsible for calculating the running of the federal limitation  
6 period under 28 U.S.C. § 2244(d)(1) and timely asserting claims.

7 IT IS FURTHER ORDERED that the clerk shall add Adam Paul Laxalt, Attorney General  
8 for the State of Nevada, as counsel for respondents.


9 IT IS FURTHER ORDERED that the clerk shall electronically serve both the Attorney  
10 General of the State of Nevada and the Federal Public Defender a copy of the petition and a copy of  
11 this order.

12 IT IS FURTHER ORDERED that respondents' counsel shall enter a notice of appearance  
13 within twenty (20) days of entry of this order, but no further response shall be required from  
14 respondents until further order of the court.

15 IT IS FURTHER ORDERED that any exhibits filed by the parties shall be filed with a  
16 separate index of exhibits identifying the exhibits by number or letter. The CM/ECF attachments  
17 that are filed further shall be identified by the number or numbers (or letter or letters) of the exhibits  
18 in the attachment. The hard copy of any additional state court record exhibits shall be  
19 forwarded—for this case—to the staff attorneys in Las Vegas.

20 IT IS FURTHER ORDERED that the motion for transcripts at state expense (ECF No. 4) is  
21 **DENIED** as moot.

22 DATED: August 16, 2017.

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26 ANDREW P. GORDON  
27 United States District Judge  
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